

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

CRIMINAL 12-0320CCC

1) LUIS FIGUEROA-PAGAN
2) GUSTAVO IRIZARRY-SANABRIA
3) **JOSE A. VELAZQUEZ-SEDA**

Defendants

ORDER

Having considered the Report and Recommendation filed on March 4, 2013 (**docket entry 77**) on a Rule 11 proceeding of defendant José A. Velázquez-Seda (3) held before U.S. Magistrate Judge Silvia Carreño-Coll on February 13, 2013, to which no objection has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment. However, the Court will defer its decision on whether to accept the parties' Fed. R. Crim. P. 11(c)(1)(C) Plea Agreement until it reviews the Presentence Report, pursuant to Fed. R. Crim. P. 11(c)(3)(A).

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since February 13, 2013. The **sentencing hearing is set for May 14, 2013 at 4:30 PM.**

SO ORDERED.

At San Juan, Puerto Rico, on March 25, 2013.

S/CARMEN CONSUELO CEREZO
United States District Judge